

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address: Custer County Conservation District
3120 Valley Drive East
Miles City, MT 59301
2. Type of action: Application for Change Authorization
3. Water source name: Yellowstone River
4. Location affected by project: S½ Sec. 1, Sec. 2, 11, 12, 13, 14, and 15, T9N, R47E,
Custer County, MT
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:
The applicant proposes to add a point of diversion and place of use to the Custer County
Conservation District Reserved Water Right. The DNRC shall issue a change
authorization if an applicant proves the criteria in 85-2-402 MCA are met.
6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)

Montana Natural Heritage Program
Montana Department of Fish Wildlife & Parks (MFWP)
Montana Department of Environmental Quality (MDEQ)

Endangered-Threatened Species
Dewatered Stream Information
TMDL Information

Part II. Environmental Review**1. Environmental Impact Checklist:**

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

Determination: No Impact

The Yellowstone River, at the location of this project, is not on the DFWP list of Chronically or Periodically Dewatered Streams.

Water quality - *Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

Determination: No Impact

The Yellowstone River, at the location of this project, is not on the DEQ list of water quality impaired streams. This water will be used for center pivot irrigation with little or no runoff.

Groundwater - *Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

Determination: No Impact

There will be no groundwater used in this project.

DIVERSION WORKS - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

Determination: Minor Impact

The diversion works will consist of 3 Cornell 10RB centrifugal pumps and 1 Cornell 5RB centrifugal pump with floating suction units. The river pumps will be manifold and will carry water to two 24" buried pipes which will convey water to the first of 3 booster pump stations. There will be some land disturbance at the pump site during construction. There will be no channel impacts, flow modifications, barriers, or impact to riparian areas, dams or well construction from this proposed diversion.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."*

Determination: Minor Impact

The project area is already actively farmed. There should be no major impact to threatened or endangered fish, wildlife, plants or aquatic species due to this center pivot irrigation system.

The Montana Natural Heritage Program identified the following Species of Concern within the project area: Black-tailed prairie dog, Golden Eagle, Great Blue Heron, Greater Sage-grouse, Least Tern, Spiny Softshell, Blue Sucker, Sturgeon Chub, Sicklefin Chub, Paddlefish, Sauger,

Pallid Sturgeon, Plains Minnow, Burbot and Creek Chub. The Bald Eagle is listed as a Special Status Species.

Wetlands - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

Determination: Some impact

There are wetlands in the project area that are most likely jurisdictional wetlands. The project operator is expected to contact the Army Corps of Engineers if they intend to fill the wetlands.

Ponds - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

Determination: No Impact

There are no ponds involved with this project.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.

Determination: No Impact

There should be no degradation of soil quality, alteration of soil stability or moisture content due to this proposed use of water for irrigation.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.

Determination: Minor Impact

Existing native and non-native plants will be replaced with crops. The operator is expected to stop or control the spread of noxious weeds in the project area.

AIR QUALITY - Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.

Determination: No Impact

The project area is already actively farmed, there should be no additional deterioration of air quality or adverse effects on vegetation due to increased air pollutants.

HISTORICAL AND ARCHEOLOGICAL SITES - Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.

Determination: NA

This project is not on State or Federal Lands

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - Assess any other impacts on environmental resources of land, water and energy not already addressed.

Determination: No impact

There are no other impacts on environmental resources not already addressed.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.

Determination: No Impact

This project is not inconsistent with any locally adopted environmental plans and goals.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.

Determination: No Impact

This project will not impact access to or the quality of recreational and wilderness activities.

HUMAN HEALTH - Assess whether the proposed project impacts on human health.

Determination: No Impact

This project will not impact human health.

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.

Yes___ No X If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: No Impact

OTHER HUMAN ENVIRONMENTAL ISSUES - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

Impacts on:

- (a) Cultural uniqueness and diversity? No Impact
- (b) Local and state tax base and tax revenues? No Impact
- (c) Existing land uses? No Impact
- (d) Quantity and distribution of employment? No Impact
- (e) Distribution and density of population and housing? No Impact
- (f) Demands for government services? No Impact
- (g) Industrial and commercial activity? No Impact
- (h) Utilities? No Impact
- (i) Transportation? No Impact
- (j) Safety? No Impact
- (k) Other appropriate social and economic circumstances? No Impact

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts

No secondary impacts anticipated.

Cumulative Impacts None identified

No cumulative impacts anticipated.

3. *Describe any mitigation/stipulation measures:*

No mitigation or stipulation measures have been identified. A measurement condition will be placed on the water right as required by the reservation final order.

4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*

No action alternative. Deny the application. This alternative would result in none of the benefits of increased forage production and the related economic benefits being realized

by the water user.

PART III. Conclusion

1. Preferred Alternative Project as proposed.

2. Comments and Responses No comments have been received.

4. Finding:

Yes___ No X Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

None of the identified impacts for any of the alternatives are significant as defined in ARM 36.2.524.

Name of person(s) responsible for preparation of EA:

Name: Christine Smith

Title: Water Resources Specialist

Date: July 12, 2013